

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

|  |   |                   |
|--|---|-------------------|
| In the Matter of                         | ) |                   |
|  | ) |                   |
| Globalstar Licensee LLC                  | ) | Call Sign S2115   |
| GUSA Licensee LLC                        | ) | Call Sign E970381 |
|  | ) |                   |
| Iridium Constellation LLC                | ) | Call Sign S2110   |
|  | ) |                   |
| Iridium Satellite LLC                    | ) | Call Sign E960132 |
| Iridium Carrier Services                 | ) | Call Sign E960622 |
|  | ) |                   |
| Modification of Authority to             | ) |                   |
| Operate a Mobile Satellite System in the | ) |                   |
| 1.6 GHz Frequency Band                   | ) |                   |

**ORDER PROPOSING MODIFICATIONS**

**Adopted: May 7, 2008**

**Released: May 7, 2008**

By the Commission:

1. By this Order we propose to modify the authorizations of Globalstar Licensee LLC and GUSA Licensee LLC (collectively Globalstar), and Iridium Constellation LLC, Iridium Satellite LLC, and Iridium Carrier Services (collectively Iridium), to operate space and earth stations in the “Big LEO”<sup>1</sup> mobile-satellite service (MSS). This Order is issued pursuant to the recently released *Big LEO Spectrum Sharing Second Order*,<sup>2</sup> released on November 9, 2007, to implement revisions to the spectrum licensing and sharing arrangements in the 1610-1626.5 MHz band. Specifically, this Order 1) proposes to modify Globalstar’s licenses to specify that operations in the 0.95 megahertz of spectrum in the 1617.775-1618.725 MHz band are on a shared basis with the Iridium system, and 2) proposes to modify Globalstar’s licenses to remove authority for operations in the 1618.725 -1621.35 MHz band. This Order also 1) proposes to modify Iridium’s license to authorize use of 0.475 megahertz of spectrum in the 1617.775-1618.25 MHz band on a shared basis with the Globalstar system, and 2) proposes to modify Iridium’s license with respect to the 1618.725-1621.35 MHz band, previously authorized on a shared

<sup>1</sup> “Big LEO” refers to low-Earth orbit (LEO) mobile satellite services above 1 GHz.

<sup>2</sup> Spectrum and Service Rules for Ancillary Terrestrial Components in the 1.6/2.4 GHz Big LEO Bands, IB Docket No. 07-253, Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands, IB Docket No. 02-364, *Second Order on Reconsideration, Second Report and Order, and Notice of Proposed Rulemaking*, FCC 07-194, 22 FCC Rcd 19733 (2007) (*Big LEO Spectrum Sharing Second Order*). The *Big LEO Spectrum Sharing Second Order* revised a band sharing plan adopted in a prior order, Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands, IB Docket No. 02-364, Amendment of Part 2 of the Commission’s Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems, ET Docket No. 00-258, *Report and Order, Fourth Report and Order and Further Notice of Proposed Rulemaking*, FCC 04-134, 19 FCC Rcd 13356 (2004) (*Big LEO Spectrum Sharing Order*).

basis, to specify operations on an exclusive basis.<sup>3</sup>

2. The Commission adopted a revised band sharing plan in the *Big LEO Spectrum Sharing Second Order* on November 9, 2007. That *Order* became effective January 14, 2008.<sup>4</sup> Consistent with the *Big LEO Spectrum Sharing Second Order*, we propose to modify Globalstar Licensee LLC's space station license to specify that operations in the 1617.775-1618.725 MHz band are on a shared basis, and to remove the 1618.725-1621.35 MHz band from the authorization. We also propose to modify Iridium's space station license such that Iridium is authorized to operate its system using transmissions throughout the 1617.775-1626.5 MHz band, on a shared basis with the Globalstar system for Earth-to-space transmissions in the 1617.775-1618.725 MHz band, and on an exclusive basis in the 1618.725-1626.5 MHz band.

3. Globalstar asserts that the decisions in the *Big LEO Spectrum Sharing Second Order* do not alter its ability to use Big LEO spectrum outside the United States.<sup>5</sup> Globalstar indicates that any other result would be contrary to law and Commission policy. We reject this assertion. Although Globalstar's space station authorization in 1995 indicated that it was "for the purpose of providing a mobile satellite service in the United States," the Commission in 1996 eliminated the distinction between domestic and international satellite systems in its *DISCO* proceeding.<sup>6</sup> To this end, the Commission automatically modified the licenses of all U.S. MSS operators to allow them to offer both domestic and international services.<sup>7</sup> In fulfillment of obligations under the International Telecommunication Union Radio Regulations,<sup>8</sup> the United States is the licensing administration for the Globalstar space stations. We view specification of the terms and conditions of operation of those space stations, including the permissible range of frequencies on which they may operate, as a necessary part of the FCC's role as licensing authority.<sup>9</sup>

4. Accordingly, the proposed modifications of the space station authorizations would apply to the two systems' global space station operations. In addition, we propose to modify the two systems' mobile earth terminal authorizations for U.S. operations to make similar changes.

5. We note that Globalstar has indicated that cessation of space station operations in the 1618.725-1621.35 MHz band may present significant difficulties in some countries in which Globalstar earth station authorizations are limited to less than the full remaining 1610-1618.725 MHz uplink band.<sup>10</sup> For these instances, we will entertain a waiver or modification of the limitation of space station frequencies below 1618.725 MHz.

6. Accordingly, IT IS HEREBY PROPOSED, pursuant to Section 316 of the Communications Act, 47 U.S.C. § 316, that the space station license of Globalstar Licensee LLC (Call

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<sup>3</sup> Iridium is already authorized to operate on an exclusive basis in the 1621.35-1626.5 MHz band.

<sup>4</sup> 72 FR 70807 (December 13, 2007).

<sup>5</sup> Ex parte presentation of Globalstar, Inc., dated March 24, 2008, in IB Docket No. 02-364, at 2 (Globalstar Ex Parte).

<sup>6</sup> See *Amendment to the Commission's Regulatory Policies Governing Domestic Fixed Satellites and Separate International Satellite Systems*, Report and Order 11 FCC Rcd 2429, 2430 at ¶ 9 (1996) (*DISCO I*).

<sup>7</sup> *DISCO I*, 11 FCC Rcd at 2440, ¶ 73.

<sup>8</sup> Radio Regulation 18.1.

<sup>9</sup> Furthermore, because space stations necessarily operate beyond the territorial jurisdiction of any country, a space station license necessarily has "extra-territorial" effect.

<sup>10</sup> Globalstar Ex Parte at 5.

Sign S2115), and the associated blanket mobile earth terminal license of GUSA Licensee LLC (Call Sign E970381), BE MODIFIED to specify that MSS Earth-to-space transmissions are limited to the 1610-1618.725 MHz band, and that such transmissions in the 1617.775-1618.725 MHz band are on a shared, co-primary basis with such transmissions from the Iridium system.

7. IT IS FURTHER HEREBY PROPOSED, pursuant to Section 316 of the Communications Act, 47 U.S.C. § 316, that the space station license of Iridium Constellation LLC (Call Sign S2110), and the associated blanket mobile earth terminal licenses of Iridium Carrier Services (Call Sign E960132) and Iridium Satellite LLC (Call Sign E960622), BE MODIFIED to permit transmissions in the 1617.775-1618.725 MHz band on a shared, co-primary basis for uplink transmission and on a secondary basis for downlink transmission, and to specify that operations in the 1618.725-1621.35 MHz band are no longer on a shared basis with the Globalstar system

8. IT IS FURTHER ORDERED that, pursuant to section 1.87(a) of the Commission's rules, 47 C.F.R. § 1.87(a), Globalstar Licensee LLC, GUSA Licensee LLC, Iridium Constellation LLC, Iridium Carrier Services, and Iridium Satellite LLC may file, no later than thirty (30) days from the release date of this Order, a written statement showing with particularity why their licenses should not be modified as proposed in this Order.

9. If the licensee raises a substantial and material question of fact, a hearing may be required to resolve such question of fact pursuant to section 1.87 of the Commission's rules.<sup>11</sup> Upon review of the statements and/or additional information furnished, the Commission may modify the subject licenses as proposed, deny the modification, or set the matter of modification for hearing. If no written statements are filed by thirty (30) days from the release date of this Order, the licensee will be deemed to have consented to a modification as proposed in this Order, and a final order will be issued.

10. IT IS FURTHER ORDERED that a copy of this Order Proposing Modification SHALL BE SENT BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, to:

Mr Anthony J Navarra  
461 S. Milpitas Boulevard  
Milpitas CA 95035

Jennifer D. Hindin  
Wiley Rein LLP  
1776 K Street, NW  
Washington DC 20006

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch  
Secretary

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<sup>11</sup> 47 C.F.R. § 1.87.